

WILDLIFE CORRIDOR CONSERVATION AUTHORITY

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MEMORANDUM

Date: January 20, 2017

To: The Governing Board Members

From: 
Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Officer

Subject: **Agenda Item VIII: Discussion and direction to staff on Sub-Committee report regarding Proposition A funding expenditures and goals.**

Staff Recommendation: That the Sub-Committee provide a report to the Governing Board and the Governing Board provide direction to staff.

Background: This agenda item and the following three agenda items (IX, X, and XI) are all related to Los Angeles County Proposition A funding issue. At the September 23, 2016 Wildlife Corridor Conservation Authority (WCCA) meeting, the Board authorized: a) application to the Los Angeles County Regional Park and Open Space District (District) to acquire park and natural lands in the Puente Hills Wildlife Corridor east of Colima Road; b) entering into a project agreement for funds from 1996 Proposition A Section 3(b)(14); and c) approval of adoption of a youth employment plan. The Board also directed staff not to spend any money until the Board could consider a Sub-Committee report and formulate a spending and acquisition strategy that considers the report.

Since then, staff submitted the approved resolution and application to Los Angeles County for the funds. Staff received the project agreement for a \$1 million grant from the District to WCCA to acquire property located east of Colima Road as specified in 1996 Proposition A Section 3(b)(14). The project agreement for the Puente Hills Wildlife Corridor Acquisition is now 100 percent executed. Attached is the signed WCCA resolution, which is part of the project agreement.

Attached is the Sub-Committee report, in the form of a proposed resolution. Some of the provisions in that proposed resolution are not relevant or necessary because the application was made and project agreement is now valid.

It appears from the discussions at the last WCCA Board meeting and from the Sub-Committee report that there is a strong preference of the Board that properties acquired by WCCA be transferred in fee to the Puente Hills Habitat Preservation Authority (Authority), to be managed by the Authority. There is a process for the transfer of properties to another entity and where the new entity assumes the responsibilities under Proposition A. The Proposition A term is Assignment and Assumption of Grant Agreement. It appears the reason the WCCA Board wishes

the property(ies) to be transferred to the Authority is that the Authority is set up to do management in this area. Agenda Item IX addresses this avenue.

It seems that properties that are eligible for Authority management should be managed by the Authority, based on their own limitations. If the Authority were to acquire and manage such land, it appears the Authority should authorize what they are willing to manage so it is clear that they will be the management entity. Attached is a map showing the eastern border of the Authority jurisdiction. The Authority could only hold land west of the line shown on the map—roughly west of Powder Canyon, inclusive.

Notwithstanding, WCCA could acquire easements outside the jurisdiction of the Authority, with no to minimal management responsibilities. (See attached map showing the eastern border of the Authority jurisdiction.) Often conservation easements do not include an obligation for active management. They may include the option or right to conduct management activities on the property.

WCCA can now proceed with obtaining appraisals and title reports and making offers on property interests. Soon WCCA should hold title to its first property. However both the sum and parts of pre-acquisition and acquisition efforts are staff and expense intensive over considerable periods of time. Most acquisitions take many months and often years to complete. The Proposition A guidelines require appraisals to be not more than six months old when a purchase and sale agreement is signed. Quite often properties require appraisal updates because of this requirement. It is not practical for WCCA to hire staff or private contractors to handle its pre-acquisition and acquisition efforts.

Since its inception decades ago, over eighty percent of WCCA's staff costs and all of its staff work have been provided by the staff of the MRCA and the Santa Monica Mountains Conservancy. The MRCA planning staff and legal staff handle a continuous stream of acquisitions ranging from processing small deed restrictions to multi-million dollar transactions. The District knows the MRCA well.

It is important to remember that WCCA has an additional \$9 million dollars from the same Section of the 1996 measure. Pre-acquisition groundwork under the proposed contract would help pave the way for deals to save additional lands with that \$9 million. To date this is WCCA's only opportunity to appraise property and make offers with a readily available acquisition funding source to back them up. It took several years to convince the 4th Supervisorial District to release the first million dollars. Part of that office's reluctance was the absence of ready to go deals for them to agree to fund. To address that issue going forward, it is imperative to have ample funding available to begin to set up deals for the \$9 million.

Even if the 4th District green lights a portion of the remaining \$9 million, it generally takes over three months until that funding can be accessed to shepherd and complete

acquisitions. Good and consistently available staff input and funding for contingencies is critical to complete most acquisitions.

One possible avenue is for WCCA to contract with the Mountains Recreation and Conservation Authority (MRCA) to do pre-acquisition and acquisition work. See Agenda Item X.

Another possible avenue is for WCCA to contract with the Puente Hills Habitat Preservation Authority (Authority) to also do some pre-acquisition and acquisition work. See Agenda Item XI.

There is flexibility, depending on what the WCCA Board wants.

Per the Proposition A guidelines at least 20 percent of the grant amount can be spent on pre-acquisition and acquisition services. The guidelines refer to these costs as Administrative expenses. This totals \$200,000.

The project agreement is with WCCA and WCCA would need to acquire the land. It would be severely disruptive and unacceptable to WCCA staff and MRCA staff to delegate the pre-acquisition and acquisition work solely to an outside agency, without leaving considerable responsibility and funding for WCCA staff and MRCA staff.